

**DINSMORE
& SHOHL LLP**

FACSIMILE TRANSMITTAL

June 30, 2004

from **PATRICIA L. PRIOR**

Direct: 937-449-6449 / Fax: 937-223-0724 / patricia.prior@dinslaw.com

To: Examiner Shalie A. Manlove
Firm: Patent and Trademark Office
Fax Number: 703-872-9306
Client Number: UVD 0279 PA/40815.320
Pages: 3
(including cover)
Comments: Original will not follow

RECEIVED
CENTRAL FAX CENTER

JUN 30 2004

OFFICIAL

If there are any problems in receiving this transmission, please call Kerrie Cela at (937) 449-6400 immediately. Thank you.

OFFICIAL

OFFICIAL

OFFICIAL

Applicants : Sturgill et al.
Serial No. : 10/037,576
Filed : January 4, 2002
Title : NON-TOXIC CORROSION-PROTECTION PIGMENTS
BASED ON COBALT
Docket : UVD 0279 PA / 40815.320
Examiner : Manlove, Shalie A.
Art Unit : 1755
Confirmation No. : 6508

Notice

This message is intended only for the use of the individuals or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this notice is not the intended recipient or the employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this notice in error, please notify us immediately by telephone and return these papers to us at the address below via first class mail.

Dayton • One Dayton Centre • One South Main Street, Suite 1300 • Dayton, OH 45402-2030 • Phone: (937) 449-6400

JUN 30 2004

OFFICIAL

OFFICIAL

OFFICIAL

OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

Applicants : Sturgill et al.
Serial No. : 10/037,576
Filed : January 4, 2002
Title : NON-TOXIC CORROSION-PROTECTION PIGMENTS
BASED ON COBALT
Docket : UVD 0279 PA / 40815.320
Examiner : Manlove, Shalie A.
Art Unit : 1755
Confirmation No. : 6508

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

CERTIFICATE OF FACSIMILE TRANSMISSION
I hereby certify that this paper is being facsimile transmitted to the
Patent and Trademark Office (Fax. No. 703-872-9306) on June 30,
2004.

Patricia L. Prior
Patricia L. Prior - Attorney Reg. No. 33,758

Sir:

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

This paper is being filed in response to the Office Action mailed on June 17, 2004. The Examiner indicated that the reply was not fully responsive because the Applicants did not make a species election.

In the previous Response to Restriction/Election Requirement, dated March 16, 2004, Applicants elected Group I (claims 1-74, 101 and 102) without traverse.

Also in the previous Response to Restriction/Election Requirement, applicants provisionally elected, with traverse, claims 1-8, 11-39, 42-63, 66-74 and 101-102 for initial prosecution on the merits.

Serial No. 10/037,576
Docket No. UVD 0279 PA / 40815.320

Although applicants did not specify, this election was for organic valence stabilizers and cationic solubility control agents. Therefore, applicants provisionally elect, with traverse, claims 1-8, 13-39, 42-63, 66-74 and 101-102 for initial prosecution on the merits (claims 11-12 depend from claim 9 and should not have been included).

Claims 1-74 and 101-102 were said to be generic to a plurality of disclosed patentably distinct species comprising cationic and anionic solubility control agents, as well as organic and inorganic valence stabilizers. Therefore, applicants respectfully traverse the present species election requirement because upon the allowance of a generic claim, applicants will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim. See 37 CFR §1.141.

Applicants respectfully submit that the application is in condition for allowance. The Examiner is encouraged to contact the undersigned to resolve efficiently any formal matters or to discuss any aspects of the application or of this response. Otherwise, early notification of allowable subject matter is respectfully solicited.

Respectfully submitted,

DINSMORE & SHOHL LLP

By Patricia L. Prior
Patricia L. Prior
Registration No. 33,758

One Dayton Centre
One South Main Street, Suite 1300
Dayton, Ohio 45402-2023
Telephone: (937) 449-6400
Facsimile: (937) 449-6405
E-mail: patricia.prior@dinslaw.com